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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,298	01/25/2005	Cornelius Antonius Hezemans	NL 020683	1496

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BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN, LINH THI

ART UNIT	PAPER NUMBER
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2627

MAIL DATE	DELIVERY MODE
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07/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/522,298

Applicant(s)

HEZEMANS, CORNELIUS
ANTONIUS

Examiner

Linh T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Chou (US Patent Number 6229773).

In regards to claim 1 Chou discloses a method of controlling a disc drive apparatus of a type comprising: a sledge (Fig. 6, element 680 is the controller for the sledge, therefore the part connected to it is the sledge) radially displaceable with respect to an apparatus frame (Fig. 6); and a platform (Fig. 6 element PUH) radially displaceable with respect to said sledge (Fig. 6); the method of controlling comprising the acts of detecting at least one of a substantial deceleration or acceleration and stop of the sledge when moving radially (Fig. 7A-B); by detecting a radial displacement of said platform with respect to said sledge (Fig. 9, Coil = platform and sledge = sled), and controlling the sledge based upon the detecting acts (Column 8, lines 60-67 and Column 9, lines 1-31).

In regards to claim 2, Chou discloses a method according to claim 1, wherein the method of detecting comprises step act of detecting a back-EMF in an electromagnetic device in an actuator for displacing said platform with respect to said sledge (Fig. 9), the

method comprising the step of detecting a back-EMF in said electromagnetic device (Fig. 10-11).

In regards to claim 3, Chou discloses a method according to claim 1, comprising an act of detecting an optical read signal and deriving from the optical read signal an X-displacement signal (Column 10, lines 27-35).

In regards to claims 4 and 6, Chou discloses a method according to claims 1 and 5, wherein detecting at least one of a substantial deceleration or acceleration or stop of the sledge (Fig. 7A-B) occurs when a detected radial displacement of said platform with respect to said sledge exceeds a predetermined decision threshold (Fig. 7C and Column 7, lines 63-67).

In regards to claim 5, Chou discloses a method according to claim 2, comprising an act of detecting an actuator control signal activated to counteract the radial displacement of said platform with respect to said sledge (Column 6, lines 54-58).

In regards to claim 7, Chou discloses method for initializing a radial position of an optical lens in a start-up phase of a disc drive apparatus, the method comprising of comprising acts of: exerting a force on said sledge; detecting at least one of a substantial deceleration or stop of the sledge using a method according to claim 1 (Fig. 7A-B); and stopping said force (Fig. 7B, deceleration does not exert a force) as soon as

a substantial radial displacement of said platform with respect to said sledge is detected (Fig. 7A-C as sledge is detected by position A-C it accelerate and C-B decelerate).

In regards to claim 8, Chou discloses a disc drive apparatus, comprising: radially displaceable scan means, comprising: a sledge radially displaceable with respect to an apparatus frame (Fig. 6B); a platform (the lens connected to the tracking coil) radially displaceable with respect to said sledge (Fig. 7A); said apparatus further comprising: sledge stop detection means (Fig. 7B as the force is zero) for detecting that the moving sledge coming to a stop (Fig. 7A-B); said sledge stop detection means comprising radial displacement detection means for detecting a radial displacement of said platform with respect to said sledge (Column 7, liens 55-63).

In regards to claim 9, rejected for the same reasons as claim 2 above.

In regards to claim 10, rejected for the same reasons as claim 3 above.

In regards to claim 11, rejected for the same reasons as claim 4 above.

In regards to claim 12, rejected for the same reasons as claim 5 above.

In regards to claim 13, rejected for the same reasons as claim 6 above.

In regards to claim 14, Chou discloses an apparatus according to claim 8, further comprising: a controllable sledge actuator (Fig. 6A, element 640) configured to move said sledge radially with respect to said apparatus frame (Fig. 6B); a control unit configured to control said sledge actuator (Fig. 6A, element 640); said control unit

configured to respond to said radial displacement detection means to switch off (Fig. 7B) said sledge actuator when said radial displacement detection means indicated that said sledge has come to a stop (Fig. 7B and column 7, lines 61-63).

In regards to claim 15, Chou discloses an apparatus, wherein a displacement range (Fig. 6B) of said sledge with respect to said apparatus frame is restricted by at least one end stop (Fig. 6B end of the sledge); wherein said control unit is designed, in an initializing phase, to energize (exerting force) said sledge actuator such as to move said sledge towards said end stop (Fig. 7B); and wherein said control unit is configured to switch off (Fig. 7B, force is zero at position B) said actuator as soon as said sledge has reached said end stop (Fig. 7A-B).

Response to Arguments

Applicant's arguments filed 4/17/07 have been fully considered but they are not persuasive. Applicant argues that Chou does not disclose detecting at least one of a substantial deceleration, acceleration and stop of the sledge by detecting a radial displacement of said platform with respect to said sledge and controlling the sledge based upon the detecting act. This argument is not persuasive. Chou does teach a detection of deceleration, acceleration and stop of the sledge (Fig. 6B, FMO signal is the detection of the force to shift the sledge whether it is from A-C or C-B (Fig. 7B)), by detecting a radial displacement of said the platform with respect to the sledge (Fig. 6B, Tcs and Vspd signals determines the position of the PUH (displacement of the pickup

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head held by a coil); column 8, lines 60-67 and Column 9, lines 1-5), and controlling the sledge based upon the detecting acts (in order to reduce the fluctuation (coil velocity) detecting from the signal Tcs and Vspd, needs to include the sledge velocity (Column 8, lines 4-10), therefore, the sledge signal FMO is control base on the coil TRO signal of the PUH (Column 9, lines 30-31)). Therefore, claims 1-15 is not patentable in view of Chou.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh T. Nguyen whose telephone number is 571-272-5513. The examiner can normally be reached on 8:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LN
June 22, 2007



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER